

**AFFIDAVIT OF SERVICE**

UNITED STATES DISTRICT COURT  
Southern District of New York

Index Number: 07-CV-7244 (SCR)

Date Filed: 8/16/2007

Plaintiff:

**McCORMICK & CO., INC.**

vs.

Defendant:

**KARI-OUT CLUB, LLC t/a KARI-OUT CO.**

For:

DLA Piper US LLP

1251 Avenue Of The Americas

New York, NY 10020

Received these papers to be served on **KARI-OUT CLUB, LLC t/a KARI-OUT CO., located at 399 Knollwood Road, Suite 309, White Plains, New York 10603.**

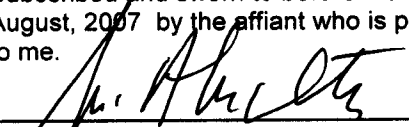
I, Vincent J. Manna, being duly sworn, depose and say that on the **16th day of August, 2007 at 2:45 pm, I:**

Served the above named Entity by delivering a true copy of the **Summons, Complaint, Civil Cover Sheet and Rule 7.1 Statement** to Shu-Ling Chiang, Marketing Manager, as authorized to accept on behalf of the above named Entity.

**Description of Person Served:** Age: 40, Sex: F, Race/Skin Color: Asian, Height: 5'4", Weight: 125, Hair: Black, Glasses: N

I am over the age of 18, am not a party in the above action, and am a Certified Process Server, in good standing, in the jurisdiction in which the process was served.

Subscribed and sworn to before me on the 20th day of August, 2007 by the affiant who is personally known to me.

  
\_\_\_\_\_  
Tina A. McCarthy  
Notary Public, State of New York  
No. 01MC6115830  
Qualified in Bronx County  
Commission Expires 09/13/2008

  
\_\_\_\_\_  
**Vincent J. Manna**  
1203246

Our Job Serial Number: 2007003481  
Ref: C/M:004815-000389

# United States District Court

Southern DISTRICT OF New York

McCORMICK & CO., INC.,

## SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

**07 CIV 7244**

KARI-OUT CLUB, LLC  
t/a KARI-OUT CO.

**JUDGE ROBINSON**

TO: (Name and address of defendant)

Kari-Out Club, LLC t/a Kari-Out Co.  
339 Knollwood Road, Suite 309  
White Plains, New York 10603

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Stephanie K. Vogel  
DLA PIPER US LLP  
1251 Avenue of the Americas  
New York, New York 10020-1104

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

**AUG 14 2007**

CLERK



DATE

(BY) DEPUTY CLERK

### RETURN OF SERVICE

Service of the Summons and Complaint was made by me <sup>1</sup>	DATE
NAME OF SERVER (PRINT)	TITLE

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served: \_\_\_\_\_
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_
- ☐ Returned unexecuted: \_\_\_\_\_
- ☐ Other (specify): \_\_\_\_\_

### STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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### DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Server

\_\_\_\_\_  
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.